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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,504	12/05/2003	Toru Suzuki	Q78277	7847

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EXAMINER
MAGEE, CHRISTOPHER R

ART UNIT	PAPER NUMBER
2653	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/727,504

Applicant(s)

SUZUKI ET AL.

Examiner

Christopher R. Magee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see pages 2-3, filed 3/17/2005, with respect to the rejection(s) of claim(s) 1-8 under Tamiya et al. (hereinafter Tamiya) (Sanyo Electric Co.; Figures 16 to 19 and Figures 23 to 27) (DE 197 53 690 A1) in view of Koken et al. (hereinafter Koken) (US 4,672,598) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Hirano et al. (hereinafter Hirano) (US 4,759,008).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamiya et al. (hereinafter Tamiya) (Sanyo Electric Co.; Figures 16 to 19 and Figures 23 to 27) (DE 197 53 690 A1) in view of Hirano et al. (hereinafter Hirano) (US 4,759,008).

➤ Regarding claims 1-3, and 5-7, Tamiya shows a recording medium playback device comprising:

a recording medium accommodation unit [3] for accommodating a plurality of recording mediums [12] in a stacked array;

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a carriage chassis [500] having at least a pickup [56], a turntable [55] and a pickup moving means [58], said pickup moving means being adapted to move said pickup in the direction of playing back the recording medium;

a moving means [57] for moving said carriage chassis to a position between the recording mediums accommodated in said recording medium accommodation unit to play back the recording medium;

a recording medium loading means [1] for loading the recording medium inserted from outside into said recording medium accommodation unit.

Tamiya does not teach or suggest stopper portions for abutting against an outer circumferential edge of the recording medium loaded by said recording medium loading means, wherein said stopper portions are provided in said carriage chassis and is located at a position spaced on/from a loading center line of the recording medium accommodated in said recording medium accommodation unit.

Hirano discloses stopper [20] for abutting against an outer circumferential edge of the recording medium loaded by said recording medium loading means wherein said stopper portions are located at a position spaced on/from a loading center line of the recording medium accommodated in said recording medium accommodation unit [Figure 1]. The stopper portions are positioned such that the movement of the pickup [2] is not obstructed by said stopper [20].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the carriage chassis of Tamiya with stopper as taught by Hirano.

The rationale is as follows: One of ordinary skill in the art at the time of the invention would have been motivated to provide the carriage chassis of Tamiya with a stopper as taught by

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Hirano in order to establish a predetermined positional relationship with the chassis [Hirano; col. 8, lines line 64 to col. 9, line 2].

➤ Regarding claims 4 and 8, Tamiya discloses all the features except the stopper portions being positioned to allow the carriage chassis to directly contact the outer circumferential edge of the recording medium when said carriage chassis is in a standby position.

Hirano shows the stopper [20] positioned at regular intervals around the disc supporting area of the upper side of the platform [Figure 1] as to not interfere with disc operations.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the carriage chassis of Tamiya with stopper portion positions/locations as taught by Hirano.

The rationale is as follows: One of ordinary skill in the art at the time of the invention would have been motivated to provide the carriage chassis of Tamiya with stopper portion positions/locations as taught by Hirano so that disc operations are not impeded and to establish a predetermined positional relationship with the chassis [Hirano; col. 8, lines line 64 to col. 9, line 2].

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Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Magee whose telephone number is (571) 272-7592. The examiner can normally be reached on M-F, 8: 00 am-5: 30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Christopher R. Magee
Patent Examiner
Art Unit 2653

July 10, 2005
crm

A. J. HEINZ
PRIMARY EXAMINER
GROUP ~~2653~~ A.U. 2653

